

BIRNBERG & ASSOCIATES

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Of counsel

15 March 2011

VIA E-FILE and FIRST CLASS MAIL

Magistrate Judge Joseph C. Spero
U.S. District Court-Northern District of California
Courtroom, 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *Biller v. Westar*
USDC-ND Cal Case No.: 10-05731 JCS

Case Management Conference
Date: March 25, 2011
Time: 1:30 p.m.

Dear Judge Spero:

We filed the above reference lawsuit (because the statute of limitations was imminent) while we were in settlement discussion and the Plaintiff was still treating with his primary doctor. We are *still* in settlement discussions, and the case has been transferred from the adjusters to counsel, e.g. Richard Wootton of Cox, Wootton, Griffin, Hansen & Poulos. We have just filed the Waiver of Summons executed by the latter law firm.

We are requesting that the CMC be continued from March 25th until another 60 days, and all dates be continued accordingly.

Sincerely yours,
BIRNBERG & ASSOCIATES

Cory A. Birnberg

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Birnberg & Associates

John Giffin
November 15, 2010
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IT IS HEREBY ORDERED that the case management conference shall be continued to May 27, 2011 at 1:30 p.m. The joint case management conference statement shall be due by May 20, 2011.

Dated: March 16, 2011

